

REMARKS

Claims 1-16 are pending in the present application. In the Office Action of October 26, 2004, all claims were subject to a restriction and an election requirement. Claims 8, 10, and 13-16 have been withdrawn, with traverse.

Restriction Requirement

The claims were restricted into two inventions:

- I. Claims 1-12 being drawn to a mounting apparatus, classified in class 70, subclass 58; and
- II. Claims 13-16, drawn to a method of securing an object to a vehicle, classified in class 70, subclass 1.

Applicant chooses grouping one, i.e., claims 1-12 for prosecution, with traverse. Applicant does not agree that "the product can be used in a materially different process, such as permanently attaching a mating unit to a mounting bracket", as alleged in the Office Action. Assuming, *arguendo*, that permanently and temporarily attaching the mating unit to the mounting unit are materially different processes from each other, Applicant believes that the alternative use suggested in the Office action cannot be accomplished, because there is nothing in the present application that teaches or suggests the permanent joining of the mating unit with the mounting unit. Applicant respectfully requests that the restriction requirement be withdrawn as improper.

Election Requirement

The claims are allegedly directed to the following distinct species:

- I. The species of Figs. 1-5;
- II. The species of Figs. 6-9; and
- III. The species of Figs. 13a and 13b

Applicant provisionally elects species I and selects claims 1-7, 9, 11, and 12 for prosecution on the merits, with traverse. If the restriction to claims 1-12 is withdrawn, Applicant additionally selects claims 13-16 for prosecution. Applicant does not believe that species II and species III are patentably distinct from each other.

Applicant believes that a full and complete reply has been made to the outstanding Office Action. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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